

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: CASE NO. 20-20560-JAD

SHAWN PATRICK NOLAN, Chapter 13
Debtor(s).
Related to Doc. 29, 39, 42, and 48

RONDA J. WINNECOUR, Chapter 13
Trustee,
Movant(s),

vs.

SHAWN PATRICK NOLAN, and
MICHELE LEAH NOLAN,
Respondent(s).

STIPULATED ORDER CONCERNING AMOUNTS TO BE REFUNDED TO
MICHELE LEAH NOLAN AS A RESULT OF THE DIVISION AND
CONVERSION OF HER CASE TO CHAPTER 7

WHEREAS, on February 18, 2020 the Debtors, SHAWN PATRICK NOLAN and MICHELE LEAH NOLAN filed a joint Chapter 13.

WHEREAS, on April 15, 2020 the Debtors filed a Joint Motion to Divide the Case at Doc. 29. The Order approving the division was entered at Doc. 39 on May 22, 2020. As provided for in the Order, the case of SHAWN PATRICK NOLAN, was to continue to be administered as a Chapter 13 at the instant case number, and Debtor MICHELE LEAH NOLAN was to be assigned a new case number.

WHEREAS, Debtor MICHELE LEAH NOLAN's new case number is 20-21606-JAD, which case was converted to Chapter 7 by Order entered at Doc. 39 (i.e., simultaneous with the Order dividing the cases).

WHEREAS, on May 27, 2020, upon motion of SHAWN PATRICK NOLAN, the Court also ordered the conversion of his case to Chapter 7.

WHEREAS, Debtors' joint Plan was funded solely by an attachment on MICHELE LEAH NOLAN's post-petition wages and the Trustee has accumulated a balance on hand entirely from her attached post-petition wages in the amount of \$3,609.81.

WHEREAS, as a result of the division of the cases and the conversion of the Debtor Wife's case to Chapter 7, it is necessary for the Trustee to refund the balance on hand, all of which Trustee believes is attributable to Debtor

Wife's post-petition attached wages.

WHEREAS, to avoid any issues or controversies concerning what amount is due to which Debtor, Trustee has requested that the Debtors expressly agree to the amount to be refunded to Debtor Wife.

NOW, THEREFORE, the parties, consisting of the Debtors, SHAWN PATRICK NOLAN and MICHELE LEAH NOLAN, and RONDA J. WINNECOUR, Chapter 13 Trustee, agree as follows:

1. The Trustee will refund directly to Debtor MICHELE LEAH NOLAN the entire current balance on hand in the instant bankruptcy case, which is the sum of \$3,609.81 ("Refund"), in accordance with her normal distribution cycle for debtor refunds on converted cases.

2. Debtor MICHELE LEAH NOLAN agrees that the Refund represents payment in full of any and all amounts to which she is entitled as a result of her conversion of her divided case to Chapter 7.

3. The Debtor SHAWN PATRICK NOLAN agrees that Debtor MICHELE LEAH NOLAN is entitled to the Refund out of the balance on hand in the instant case.

So ORDERED, this _____ day of _____, 20____.

U.S. Bankruptcy Judge

AGREED TO:

/s/ Owen Katz

Owen Katz, Esquire,

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